

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,	:	
	:	
v.	:	
	:	CRIMINAL ACTION NO.
CAOJO STEWARD,		
WILLIAM RIVERS,	:	1:19-cs-0435-AT-RDC
DEMETRIUS LEWIS,	:	
MONTRESE GOODWIN.		

ORDER

Presently before the Court is the Magistrate Judge's Report and Recommendation ("R&R") [Doc. 183] that this Court grant in part and deny in part the Government's Motion for Reconsideration [Doc. 135].

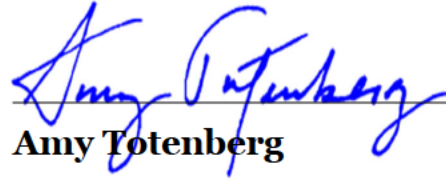
A district judge has broad discretion to accept, reject, or modify a magistrate judge's proposed findings and recommendations. *United States v. Raddatz*, 447 U.S. 667, 680 (1980). The Court notes that no objections have been filed in response to the Magistrate Judge's Report and Recommendation. Therefore, in accordance with 28 U.S.C. § 636(b)(1) and Rule 59 of the Federal Rules of Criminal Procedure, the Court has reviewed the Magistrate Judge's Recommendation for clear error and finds none.

The Court agrees with Magistrate Judge Cannon's reasoning supporting her determination that she should reconsider her prior Order

directing the immediate disclosure of the identity and location of the Confidential Source in the case. The Court also agrees with her ruling that the Confidential Source's identity must be disclosed NO LATER than 45 days prior to trial. This is a reasonable approach to balancing the safety interests at stake in disclosure of the Confidential Source's identity while ensuring that Defendant's right to a fair trial is fully protected. The Government is directed to prepare an appropriate protective order that includes a production framework and to share such with Defense counsel for comments prior to submission of the proposed Order to Magistrate Judge Cannon for approval. Similarly, the Court agrees with the Magistrate Judge's reasoning supporting her decision to deny disclosure of the identities of "SOI-e" and "SOI-1" as well as the identity of the person who claimed to observe Mr. Stewart in the vicinity of Mr. Stewart's apartment.

Accordingly, the Court receives the Magistrate Judge's Report and Recommendation with approval and hereby **ADOPTS** the Report and Recommendation as the opinion of this Court. Accordingly, the Court **GRANTS IN PART and DENIES IN PART** the Government's Motion for Reconsideration [Doc 135].

IT IS SO ORDERED this 15th day of September, 2021.

A handwritten signature in blue ink, reading "Amy Totenberg", is written over a horizontal line.

Amy Totenberg

United States District Judge